

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

STARPOWER COMMUNICATIONS,)	
LLC,)	
)	
Complainant,)	
)	
v.)	File No. EB-00-MD-20
)	
VERIZON VIRGINIA INC.,)	
)	
Respondent.)	

ORDER

Adopted: November 25, 2003

Released: November 25, 2003

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On November 27, 2000, Starpower Communications, LLC (“Starpower”) filed a formal complaint against Verizon Virginia Inc. (“Verizon Virginia”) seeking enforcement of the reciprocal compensation provisions of two interconnection agreements between Starpower and Verizon Virginia.¹

2. On April 8, 2002, the Commission released a Memorandum Opinion and Order denying the complaint against Verizon Virginia.² Starpower sought judicial review of the Order, and the United States Court of Appeals for the District of Columbia Circuit subsequently issued an opinion remanding the case to the Commission for further proceedings.³ The Commission since has conducted preliminary proceedings pursuant to the Court’s remand, but has not yet issued a decision on the merits.

3. On November 24, 2003, Starpower and Verizon Virginia filed a Joint Motion to Dismiss the Complaint with prejudice.⁴ According to the Motion, “the parties

¹ Formal Complaint, File No. EB-00-MD-20 (filed Nov. 27, 2000) (“Complaint”).

² See *Starpower Communications, LLC v. Verizon Virginia Inc.*, Memorandum Opinion and Order, 17 FCC Rcd 6873 (2002) (“Order”).

³ See *Starpower Communications, LCC v. FCC*, 334 F.3d 1150 (D.C. Cir. 2003).

⁴ Joint Motion to Dismiss, File No. EB-00-MD-020 (filed Nov. 24, 2003) (“Motion”).

have resolved their dispute to their mutual satisfaction, and there are no longer any issues in controversy to be decided by the Commission.”⁵

4. We are satisfied that dismissing the Complaint with prejudice will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

5. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 252(e)(5) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 252(e)(5), and the authority delegated in sections 0.111 and 0.311 of the Commission’s rules, 47 C.F.R. §§ 0.111 and 0.311, that the Joint Motion to Dismiss is GRANTED, and that the Complaint is DISMISSED with prejudice.

6. IT IS FURTHER ORDERED that the above-captioned proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau

⁵ Motion at 1.